REMARKS/ARGUMENTS

Claims 1-44 are pending in the application. In response to the Restriction Requirement and Species Election of February 22, 2010, Applicant elects to pursue the invention of Group VII, claims 2, 18, 19, and 23-25 for further prosecution in this application. Applicants elect the species of SEQ ID No.: 1, *with traverse.*

The Examiner alleges that the inventions listed as Groups I-XXI do not relate to a single inventive concept under PCT Rule 13.1, asserting that each group has a different special technical feature not shared by the remaining groups. The Examiner further requires election of a single SEQ ID NO selected from SEQ ID NO: 1, 2, 3, or 4.

Applicants respectfully disagree with the Examiner. Unity of invention exists when there is a special technical relationship among the claimed inventions involving one or more special technical features. According PCT Rule 13.2, the term "special technical features" refers to those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes of over the prior art. Here, the claims of Groups VII, VIII, IX, XIX, XX, and XXI share a special technical feature, namely, a dopaminergic neuron proliferative progenitor cell which is selected using a Lrp4 polynucleotide probe.

Claims 2, 18, 19, 23, 24 and 25, grouped as Group VII by the Examiner, are directed to methods for selecting a dopaminergic neuron proliferative progenitor cell by using a dopaminergic neuron proliferative progenitor cell marker polynucleotide (the Lrp4 polynucleotide probe). Claim 3, grouped as Group VIII by the Examiner reads on a method for selecting a dopaininergic neuron proliferative progenitor cell by using a Lrp4 polynucleotide probe and a marker for postmitotic dopaminergic neuron. Claims 4, 12 and 20, grouped as Group IX by the Examiner, read on a dopaminergic neuron proliferative progenitor cell specifically selected using the method of claims 2, 18, and 19. Claims 15, 39 and 40, grouped as Group XIX by the Examiner, read on a kit for treating a neurodegenerative disease comprising a dopaminergic neuron proliferative progenitor cell of claims 4, 12 and 20 or a dopaminergic neuron produced by the method of claims 23 to 25. Claims 16, 41 and 42, grouped us Group XX by the Examiner, read on a method for treating a neurodegenerative disease comprising the step

of transplanting into the brain of a patient a dopaminergic neuron proliferative progenitor cell of claims 4, 12 or 20 and a dopaminergic neuron produced by the method of claims 23 to 25. Claims 17, 43 and 44, grouped as Group XXI by the Examiner, read on a use of a dopaminergic neuron proliferative progenitor cell of claims 4, 12 or 20 and a dopaminergic neuron produced by the method of claims 23 to 25 for producing a kit for treating a neurodegenerativc disease.

Applicants respectfully submit that that all of claims 2 to 4, 12, 15-20, 23-25, and 39-44 comprise the dopaminergic neuron proliferative progenitor cell, which is selected using the Lrp4 polynucleotide probe, *i.e.*, the special technical feature shared by the claimed invention. In view of the above, the Applicant believes that the claims of Groups VII, VIII, IX, XIX, XX, and XXI, which share a special technical feature, should be examined in a single application.

Furthermore, Applicants would like to point out that the sequences of SEQ ID NOs: 1 and 3 alleged by the Examiner as independent and distinct sequences, are respectively the cDNA nucleotide sequence of murine Lrp4 and the amino acid sequence of murine Lrp4. M.P.E.P. Appendix AI, Administrative Instructions Under the PCT, ANNEX B(1) stipulates that "[e]xamples giving guidance on how these principles may be interpreted in particular cases are set out in the PCT International Search and Preliminary Examination Guidelines". The PCT International Search and Preliminary Examination Guidelines discloses at chapter 10.59, Example 39, that when a DNA molecule encodes a specific protein, the protein and the DNA encoding the protein share a corresponding technical feature, and consequently, have unity of invention. In the instant case, the nucleotide sequences SEQ ID NO: 1 encode the amino acid sequences of SEQ ID NO: 3, respectively. In view of the above. Applicants respectively request the Examiner reconsider this restriction requirement. and examine SEQ ID NOs: 1 and 3 in a single application.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

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